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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/745,730	12/26/2000	Yoshikazu Kobayashi	369252/99	1971
30743	7590	10/19/2004	EXAMINER	
WHITHAM, CURTIS & CHRISTOFFERSON, P.C. 11491 SUNSET HILLS ROAD SUITE 340 RESTON, VA 20190			SCHEIBEL, ROBERT C	
			ART UNIT	PAPER NUMBER
			2666	

DATE MAILED: 10/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/745,730	KOBAYASHI, YOSHIKAZU	
	<b>Examiner</b>	<b>Art Unit</b>	
	Robert C. Scheibel	2666	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 02 August 2004.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-7 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | Paper No(s)/Mail Date. _____.   |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____.                                   |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments, see the first paragraph on page 5, filed 8/2/2004, with respect to an objection to the specification have been fully considered and are persuasive. The objection to the specification has been withdrawn.
2. Applicant's arguments, see paragraphs 2-3 of page 5, filed 8/2/2004, with respect to objections to claims 1 and 4-7 have been fully considered and are persuasive. The objections to claims 1 and 4-7 have been withdrawn.
3. The indicated allowability of claims 1-7 is withdrawn in view of the newly discovered reference to U.S. Patent 6,393,017 to Galvin et al. Rejections based on the newly cited reference follow.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-7 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,393,017 to Galvin et al.

Regarding claims 1 and 4, Galvin discloses a telephone controller that controls plural telephone sets via LAN connected to the Internet (the virtual PBX system 100), comprising: a receiver that receives a message sent by the telephone set for requesting an IP address (the user

log in described in lines 35-49 of column 7); a control circuit that generates the ID and the extension of the telephone set in case the message for requesting the IP address is received (the extension is the extension stored in the table of Figure 4 and the ID is the combination of the group ID 402, extension 404, and IP address 406 which are created in the table of Figure 4); an IP address allocation circuit that allocates the IP address of the telephone set (as indicated in lines 24-29, the IP address is allocated in the table – it's presence indicates that the user is logged on to the system); a table that stores the ID, the extension and the IP address (the table of Figure 4); and a notifying unit that notifies the telephone set of the ID, the extension and the IP address (the user must receive a response to the log in request in order to know the result).

Regarding claims **2 and 5**, Galvin discloses the limitation that when its extension or its user name is included in the message for requesting the IP address, the control circuit generates its ID based upon the extension or the user name in the alias that is included in the login as described in lines 8-11 of column 2.

Regarding claims **3 and 6**, as described above, the ID is the combination fields 402, 404, and 406 in Figure 4. The user name and the domain name are a part of the IP address and the extension is the user extension 404. Thus, the ID is composed of the domain name, the extension, and the user name disclosing the limitations of claims 3 and 6.

Regarding claim **7**, Galvin teaches that the user can participate in telephone conferences via the PBX once logged in (see lines 43-49 of column 7) and that the IP address is linked to the virtual extension of the user once successfully logged in (lines 16-19 of column 8). This discloses the limitation that in case a connection request message is sent from the telephone set, the control circuit acquires an IP address corresponding to ID by retrieving the table using the ID

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included in the connection request message and notifies a telephone set to which the IP address is allocated of call in coming as a telephone set wishing to establish communication with the user would do so using the user's ID via the PBX which would locate the user via the registered IP address.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert C. Scheibel whose telephone number is 571-272-3169. The examiner can normally be reached on Monday and Thursday from 6:30-5:00 Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema S. Rao can be reached on 571-272-3174. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*RCS* 10-18-04  
Robert C. Scheibel  
Examiner  
Art Unit 2666

*Seema S. Rao*  
**SEEMA S. RAO** 10/18/04  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2600**